IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 4729 of 2004(K)

PETITIONERS:

1. **S. MANOHARAN, KUNNILVILAKOM HOUSE, KATTAKKADA P.O., THIRUVANANTHAPURAM WORKING AS SECURITY GUARD, GOVT. AYURVEDA HOSPITAL, TRIVANDRUM.**

2. **D. SUDHAKARAN, SUDHARIYA BHAVAN, PANANGODE, VENGANNOOR P.O., THIRUVANANTHAPURAM, DO. DO.**

3. **G. RADHAKRISHNAN NAIR, KAMALAVILAS, T.C.5/282, INDIRA NAGAR LANE, PEROORKADA P.O., THIRUVANANTHAPURAM-5, DO. DO.**

4. **S.G. VIJAYAKUMAR, KAMALA BHAVAN, MALACKAL P.O., THIRUVANANTHAPURAM DO. DO.**

5. **P.T. VARGHESE, T.C.8/1275-5, VALIYAVILA, THIRUMALA P.O., THIRUVANANTHAPURAM, DO. DO.**

6. **G. ANILKUMAR, T.C.10/1275-5, VALIYAVILA, THIRUMALA P.O., THIRUVANANTHAPURAM, DO. DO.**

7. **SURESH KUMAR S.K., SURESH BHAVAN, MANNAMKONAM PANTHA P.O., THIRUVANANTHAPURAM, DO. DO.**

8. **RAMESH KUMAR. T., THARA BHAVAN, VALLAMKDE, KALLIYOOR P.O., THIRUVANANTHAPURAM, DO. DO.**

BY ADV. SRI.K.R.NANDAKUMAR
SRI.B.RAJEEV KOYICKAL

WP(C) NO: 4729/2004

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY, GOVERNMENT SECRTARIAT, THIRUVANANTHAPURAM.**

2. **SUPERINTENDENT, GOVERNMENT AYURVEDA MEDICAL COLLEGE, HOSPITAL, THIRUVANANTHAPURAM.**

3. **HOSPITAL DEVELOPMENT COMMITTEE, REPRESENTED BY ITS SECRETARY, GOVERNMENT AYURVEDA HOSPITAL, THIRUVANANTHAPURAM.**

4. **DISTRICT COLLECTOR OF THIRUVANANTHAPURAM PRESIDENT, HOSPITAL DEVELOPMENT COMMITTEE GOVERNMENT AURVEDA COLLEGE, THIRUVANANTHAPURAM.**

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER NO. B/5125/01/AVCH DT. 16/1/2002 OF THE P1 TO P5.

EXT.P2. COPY OF THE ORDER OF THE P6 NO. B/5125/01/AVCH THIRUVANANTHAPURAM DT. 2/7/03.

EXT.P3. COPY OF THE APPOINTMENT ORDER OF THE P7 NO.B/5125/01/2001 DT. 13/1/2003 THIRUVANANTHAPURAM.

EXT.P4. COPY OF THE APPOINTMENT ORDER NO. B/5125/01/AVCH DT. 13/10/2003 THIRUVANANTHAPURAM.

EXT.P5. COPY OF THE ORDER GO NO. 141/97/H & FWD DT. 25/4/97 BY THE GOVT. OF KERALA.

EXT.P6. COPY OF THE REPRESENTATION BY THE PETITIONERS BEFORE THE R4.

EXT.P7 SERIES: COPY OF THE ORDERS IN CMP NO. 41427/97 IN OP NO. 23193/97 CMP NO. 41063/97 IN OP NO. 22935/9, CMP NO. 32716/98 IN OP NO. 18503/98.

RESPONDENT'S EXHIBITS

NIL.

True copy

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K.BALAKRISHNAN NAIR,J.

WP(C)NO.4729 OF 2004-K

Judgment

The petitioners are employees, appointed by the Hospital Development Committee of the third respondent. This Writ Petition is filed by them, praying for a direction that they may be permitted to continue in service till Public Service Commission hands report for duty. They are engaged in posts not sanctioned by the Government. So, their employment will depend upon the terms contained in their appointment orders. If they are appointed for a term, they can be terminated on completion of the said term. Therefore, no relief can be granted to the petitioners regarding their retention in service. Accordingly, the Writ Petition is dismissed.

31.07.2007 **K.BALAKRISHNAN NAIR,JUDGE**

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